

REMARKS

Claims 1-2 and 11 are currently pending in the present application, with claims 1 and 11 being written in independent form. Claims 1 and 11 have been amended for clarity. Support for the amendments may be found, for instance, on p. 11, par. [0015], of the original specification. Thus, the present amendments neither involve new matter nor require further search and/or consideration.

Claim Rejections under 35 U.S.C. § 102

Claims 1-2 and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by US 6,620,577 (Lynch). Applicants respectfully traverse this rejection for the reasons below.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”¹

The Examiner asserts that “for $m=1$, $n=0$, and $p=0$, the formula I of the organometallic compound is Ag.”² This assertion is completely baseless. Independent claims 1 and 11 clearly recite that “both n and p are **not zero at the same time**.” Thus, the Examiner’s position is flawed for at least this reason.

In any event, without conceding as to any of the Examiner’s assertions that are not specifically addressed herein, Applicants note that Lynch fails, as a preliminary matter, to disclose or suggest an organometallic composition including an organometallic compound represented by $Ag_mL_nX_p$, wherein “ n is an integer from **1 to 40**,” as recited by amended claims 1 and 11. Lynch also fails to disclose or suggest an

¹ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

² *Final Office Action (04/15/2010)*: p. 3, section 3, ln. 9-10.

organometallic composition additionally including an organometallic compound represented by $M'm'L'nX_p'$, wherein "n" is an integer from **1 to 40**," as recited by amended claims 1 and 11. Lynch also fails to disclose or suggest an organometallic composition further including an organometallic compound represented by $M''m''L''n''X''p''$, wherein "n" is an integer from **1 to 40**," as recited by amended claims 1 and 11. Thus, the Examiner's scenario where "there is no ligand present in the claimed composition"³ is no longer applicable.

As previously noted, Lynch fails to disclose or suggest an organometallic composition having an organometallic compound represented by $Ag_mL_nX_p$, wherein "L is a neutral ligand having **photosensitivity**, which comprises 1~20 carbon atoms and a **donor** selected from the group consisting of N, O, S and As," as recited by amended claims 1 and 11. Rather, Lynch merely discloses "[s]ilver complexes containing organophosphine ligands."⁴ Stated more clearly, Lynch only discloses silver complexes having a phosphorous (P) donor.

Furthermore, the silver complexes disclosed by Lynch are actually "non-photosensitive."⁵ Although Lynch does disclose a "photosensitive silver *halide*" (e.g., silver bromide, silver iodide, silver chloride)⁶, the compound is not one upon which the present claims would read.

For at least the reasons above, there can be no anticipation with regard to claims 1 and 11. Consequently, there can be no anticipation with regard to claim 2, at

³ *Final Office Action (04/15/2010): p. 3, section 3, ln. 11-13.*

⁴ *Lynch: col. 40, ln. 45-63.*

⁵ *Lynch: col. 6, ln. 43; col. 39, ln. 19 – col. 41, ln. 52.*

⁶ *Lynch: col. 6, ln. 42; col. 14, ln. 43-47.*

least by virtue of its dependency on claim 1. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the above rejection.

Conclusion

In view of the above, Applicants respectfully request the Examiner to allow all of the pending claims in the present application.

If the Examiner believes that personal communication will expedite the prosecution of this application, then the Examiner is invited to contact Alex C. Chang, Reg. No. 52,716, at the telephone number below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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